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CLERK US DISTRICT COURT DISTRICT OF NEVADA	DEPUTY

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

KERZNER INTERNATIONAL LIMITED,) 3:06-cv-00232-ECR-RAM
and KERZNER INTERNATIONAL RESORTS,)
Inc.,) MINUTES OF THE COURT
)
Plaintiffs,) DATE: October 7, 2010
))
vs.)
))
MONARCH CASINO & RESORT, INC., and)
GOLDEN ROAD MOTOR INN, INC.,)
))
Defendants.)
)

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

Parties filed a proposed joint pretrial order (#459) on September 13, 2010. The only issue to be determined at trial is whether Plaintiffs can prove fame, within the meaning of Grupo Gigante S. A. de C.V. v. Dallo & Co., 391 F.3d 1088 (9th Cir. 2004), of Kerzner's Atlantis mark in Las Vegas as of April, 1996. Plaintiffs concede that they cannot prove the sole dispositive issue. Proposed Joint Pretrial Order at 3 (#459). Plaintiffs request that the Court enter judgment against Plaintiffs. Id. (#459). We will treat Plaintiffs' request as a motion to dismiss and for entry of judgment.

Defendants object, alleging that Plaintiffs are trying to exclude evidence and artificially limit the record. Id. at 4 (#459). However, proceeding with a trial when the sole factual issue has been conceded by Plaintiff would be a waste of judicial resources.

IT IS, THEREFORE, HEREBY ORDERED that Plaintiff's motion to dismiss and for entry of judgment is **GRANTED**.

IT IS FURTHER ORDERED that Defendants shall submit a proposed form of judgment within twenty one (21) days. Plaintiffs shall have fourteen (14) days to file objections to the proposed judgment, and Defendants shall have fourteen (14) days to file a reply in support of their proposed judgment.

LANCE S. WILSON, CLERK

By _____ /s/
Deputy Clerk